

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICHAEL LADUE and AMANDA LADUE,

Plaintiffs,

v.

KETTLE FALLS INTERNATIONAL
RAILWAY, LLC. and OMNITRAX, INC.

Defendants.

NO. 2:20-CV-01472:TLF

JOINT STIPULATION AND
ORDER TO TRANSFER VENUE TO
THE UNITED STATES DISTRICT
COURT FOR THE EASTERN DISTRICT
OF WASHINGTON, SPOKANE
DIVISION

Pursuant to 28 U.S.C. § 1404(a), Plaintiffs Michael and Amanda LaDue (collectively, “Plaintiffs”) and Defendants Kettle Falls International Railway, LLC and OmniTRAX, Inc. (collectively, “Defendants”) hereby submit this Joint Stipulation and [Proposed] Order to Transfer Venue to the United States District Court for the Eastern District of Washington, Spokane Division.

Plaintiffs and Defendants, through their respective attorneys of record, agree and stipulate as follows:

On or about October 5, 2020, Plaintiffs filed their Complaint in this matter, paragraph 10 of which alleged that venue was proper in the Western District of Washington because, on information and belief, Defendants did business in King County. In their December 14, 2020 Answer, Defendants denied that venue was proper in the Western District of Washington.

Defendants do not do business in King County, Washington. The loss at issue occurred in Stevens County, Washington. Plaintiff lives in Ferry County, Washington. Most of the

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WASHINGTON, SPOKANE DIVISION –

relevant witnesses and the majority of Plaintiff's treatment providers are located in or around Stevens County, Washington. Stevens and Ferry counties are located within the Spokane Division of the Eastern District of Washington.

The parties agree that neither side is prejudiced by the agreements set forth herein.

THEREFORE, Plaintiffs and Defendants hereby stipulate and agree, subject to Court approval, to transfer this case to the United States District Court for the Eastern District of Washington, Spokane Division.

DATED this 6th day of July, 2021

Respectfully submitted,

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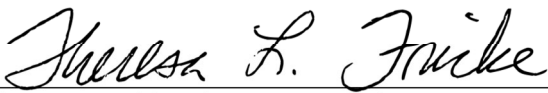
*Attorneys for Plaintiffs Michael and
Amanda LaDue*

*Attorneys for Defendants Kettle Falls
International Railway LLC and OmniTrax,
Inc.*

1 **ORDER**

2 PURSUANT TO STIPULATION, IT IS SO ORDERED. The Clerk shall transfer the
3 case to the United States District Court for the Eastern District of Washington, Spokane
4 Division, and close the case in this district.

5
6 DATED: July 13th, 2021


The Honorable Theresa L. Fricke
United States Magistrate Judge